



**MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/REDEVELOPMENT AGENCY/
HAYWARD PUBLIC FINANCING AUTHORITY
OF THE CITY OF HAYWARD**

**City Council Chambers, 777 B Street, Hayward, CA 94541
Tuesday, December 16, 2003, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Redevelopment Agency/Hayward Public Financing Authority was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council/RA/HPFA Member Ward.

ROLL CALL

Present: COUNCIL/RA/HPFA MEMBERS Hilson, Rodriquez
Ward, Dowling
MAYOR/Chair Cooper
Absent: COUNCIL/RA/HPFA MEMBERS Jimenez, Henson

PRESENTATION: Pride in Hayward Award

The following Hayward residents were acknowledged for the beauty of their homes and taking pride in their neighborhoods and in the City of Hayward. Julie Lu and Kulbinder and Surjit Gill from the Tennyson neighborhood, Minoru and Gladys Uyehara from the Mt. Eden area, Sergio Pereda from Glen Eden and Richard and Dianalee Adams of the Southgate neighborhood. Mayor Cooper indicated that the Gill family gave Mrs. Wright the certificate, as she maintains their yard. Mayor Cooper commended and thanked each for caring enough to make Hayward a more beautiful place to live.

PUBLIC COMMENTS

Jason Moreno commented that there are a number of large black drums that may contain hazardous materials located at the vacant site across from the library. He asked for a response on their contents.

Barbara Heringer-Swarr commented that as a Council candidate, she has participated in candidates' forums and is enjoying them. She asked for a response to a question she previously asked related to the old Albertson's site. She also asked about the Closed Session held earlier and greeted all with a 'Happy Holidays.'

Janeen Dunbar spoke on behalf of her father, responding to Mayor Cooper's comment at a previous meeting. Ms. Dunbar indicated that although her father seems to be incapacitated, he makes his own decisions. She felt that an apology was due.

Ryan Landers spoke on the responsibilities of being a caregiver and spoke in support of Ms. Dunbar's comments.

Mayor Cooper responded noting that she herself is a caregiver and is quite aware of those responsibilities.

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CONSENT

1. Approval of Minutes of the City Council Meeting of December 2, 2003

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to approve the minutes of the City Council Meeting of December 2, 2003.

2. Adopt Ordinance Revising Sanitary Sewer System Code

Staff report submitted by City Clerk Reyes, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Ordinance 03-16, "An Ordinance Amending Chapter 11, Article 3 of the Hayward Municipal Code by Adopting a Revised Sanitary Sewer System Code"

3. Adopt Ordinance Revising Traffic Code

Staff report submitted by City Clerk Reyes, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Ordinance 03-17, "An Ordinance Amending the Hayward Traffic Code (Ordinance No. 100 C.S., as Amended) by Approving a Change to Section 6.01.3 Relating to the White Zone"

4. Final Map Tract 7436 – City of Hayward Redevelopment Agency (Subdivider) - Approval of Final Map, Authorize the City Manager/Executive Director to Execute a Subdivision Agreement

Staff report submitted by Development Review Engineer Gaber, dated December 16, 2003, was filed.



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It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Resolution 03-156, "Resolution Approving Final Map for Tract 7436 and Authorizing the City Manager/Executive Director to Execute a Subdivision Agreement"

5. Final Map Tract 7341 - Brian Purcell Family Trust (Subdivider) - Approval of Final Map, Authorize the City Manager to Execute a Subdivision Agreement

Staff report submitted by Development Review Engineer Gaber, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Resolution 03-157, "Resolution Approving Final Map for Tract 7341 and Authorizing the City Manager to Execute a Subdivision Agreement"

6. PL-2003-0615 Utility Service Agreement 03-05 - David and Patricia Ayala (Applicant/Owner) - Authorize the City Manager to Execute a Utility Service Agreement for a Property Located at 25601 Clover Road

Staff report submitted by Development Review Engineer Gaber, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Resolution 03-158, "Resolution Authorizing the City Manager to Apply to LAFCO for Approval of a Utility Service Agreement (USA 03-05) to Provide Water Services to Property Located on Clover Drive, Assessor's Parcel No. 425-0080-002; and Further Authorizing the City Manager to Execute Such Agreement, as well as an Agreement for Completion of Public Street Improvements"

7. Authorization for the Issuance and Sale of Certificates of Participation for Financing Certain Water Improvement Projects and Appointment of Financial Advisor and Bond Counsel

Staff report submitted by Acting Finance Director Lewis, dated December 16, 2003, was filed.

It was moved by Council/HPFA Member Ward, seconded by Council/HPFA Member Hilson, and carried, with Council/HPFA Members Jimenez and Henson absent, to adopt the following:

Resolution 03-159, "Resolution of the City of Hayward Authorizing the Issuance and Sale of Not to Exceed \$7,700,000 Certificates of Participation, Authorizing and Directing Execution of Related Installment Sale Agreement and Trust Agreement, Approving Preliminary Official Statement with Respect Thereto, and Authorizing Official Actions"

HPFA Resolution 03-01, "Resolution Approving, Authorizing and Directing Execution of Certain Installment Sale Financing Documents and Authorizing and Directing Certain Actions with Respect Thereto"

8. Appointment to Alameda County Mosquito Abatement District

Staff report submitted by City Manager Armas, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Resolution 03-160, "Resolution Appointing Paul Garcia as City of Hayward Representative to the Alameda County Mosquito Abatement District"

9. Resolution in Support of Local Roads and Streets Funding

Staff report submitted by Deputy Director of Public Works Bauman, dated December 16, 2003, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and carried, with Council Members Jimenez and Henson absent, to adopt the following:

Resolution 03-161, "Resolution in Support of Enhanced Regional Funding for Maintenance of Local Streets and Roads"



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LEGISLATIVE BUSINESS

**10. Introduction of an Ordinance Revising the Municipal Code Regarding Public Works
Contracts (*continued from 12/2/03*)**

Staff report submitted by Deputy Director of Public
Works/Utilities Ameri, dated December 16, 2003, was filed.

Public Works Director Butler made the staff report, noting that the last update to the procedures and practices for bidding on public works was over twenty years ago. On new construction projects the increase will be to \$35,000 from the current \$15,000. Every three years, it will be raised in accordance with the inflation index as set by engineering standards. Maintenance, replacement and repair type projects, such as building roof replacement will use an informal bidding process that includes at least three bids from qualified contractors when a project may exceed \$10,000. Service contracts will be treated as routine repairs, such as for pumps and motors, and under the auspices of the City's Purchasing Division.

Council Member Ward concurred with moving the threshold and asked whether contractors' lists will be kept. He asked about Section 2-8.11, relating to the number of informal bids and the assurance that more than one bid is accepted. He supported this, but asked the City Manager to periodically submit a report for Council review. In response, Public Works Director Butler stated that staff will continue to solicit quotes and contractors will be kept on a list by the Purchasing Division. This type of bidding process will be less formal than the new construction bidding.

Council Member Dowling expressed his concern to include women and minority owned businesses in the bidding process. He asked if annual seminars for vendors were conducted to learn how to become a bidder.

Public Works Director Butler reported that the Purchasing Division conducts an outreach program in this regard.

As there were no requests to speak, Mayor Cooper opened and closed the public hearing at 8:22 p.m.

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and carried, with Council Members Jimenez and Henson absent, to introduce the following:

Ordinance 03-___, "An Ordinance Amending Chapter 2, Article 8
of the Hayward Municipal Code by Adopting a Revised Code
Regarding Public Works Contracts"

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11. Adoption of the Annual Report of Redevelopment Agency Activities of FY 2002-03

Staff report submitted by Redevelopment Director Bartlett, dated December 16, 2003, was filed.

As there were no requests to speak, Mayor/Chair of the Redevelopment Agency Cooper opened and closed the public hearing at 8:30 p.m.

It was moved by Council/RA Member Hilson, seconded by Council/RA Member Rodriguez, and carried, with Council/RA Members Jimenez and Henson absent, to adopt the following:

Resolution 03-162, "Resolution Adopting the Annual Report of Redevelopment Agency Activities for Fiscal Year 2002-03"

RA Resolution 03-14, "Resolution Adopting the Annual Report of Redevelopment Agency Activities for Fiscal Year 2002-03"

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor/Chair Cooper adjourned the meeting at 8:31 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chairperson, Hayward Public Financing Authority and
Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, Hayward Public Financing Authority and
Redevelopment Agency